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THE WALT DISNEY COMPANY
C/O GREENBERG TRAURIG LLP
2450 COLORADO AVENUE SUITE 400E
SANTA MONICA CA 90404

In re Application of:

Gregory B. Hale et al.

Appl. No.: 10/687,191

Filed: October 15, 2003

Attorney Docket : 58085-010201

For: MANAGEMENT OF THE FLOW OF PERSONS IN
RELATION TO CENTERS OF CROWD
CONCENTRATION

DECISION ON PETITION
UNDER 37 CFR § 1.59

This is a decision on the petition under 37 CFR § 1.59(b), filed on March 14, 2006 to expunge the Information Disclosure Statement (IDS) submitted on March 14, 2006.

The petition is **DISMISSED**.

Petitioner requests that the IDS submitted on March 14, 2006 listing two letters identified in the petition be expunged from the record. Petitioner states that the letters listed on the IDS submitted on March 14, 2006 is proprietary to Applicant and the information has not been otherwise made public once received. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

The petition is premature because the application has not been allowed or abandoned. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is "material," with "materiality" being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the petition to expunge must be dismissed at this time.

During prosecution on the merits, the examiner will determine whether or not the identified documents are considered to be "material." Once prosecution on the merits is closed, applicant may re-submit a petition to expunge the information. No further fee is required for such a second submission of a petition under 37 CFR § 1.59 to expunge information. If the information is not considered by the examiner to be material, the information will be returned to applicant.

The identified documents are currently not available for public view.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3719.

Kakali Chaki

Kakali Chaki
Quality Assurance Specialist
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